

Appl. No. 10/562,872
Amendment and/or Response
Reply to Office action of 26 November 2008

Page 10 of 13

REMARKS / DISCUSSION OF ISSUES

Claims 1-27 are pending in the application; claims 13-27 are newly added. No new matter is added.

The Examiner is respectfully requested to acknowledge receipt of the claim for priority and receipt of certified copies of all the priority documents.

The Office action objects to the specification. The specification is amended herein to correct typographical errors, and to remove hyperlink references; no new matter is added.

The Office action rejects claims 9-12 under 35 U.S.C. 101. Claim 9, upon which claims 10-12 depend, is amended to recite that the claimed software is embedded on a computer-readable medium and is executed by a MediaRenderer-Control Point combination. Reconsideration of the rejection of claims 9-12 is respectfully requested.

The Office action rejects claims 1-2, 5-6, and 9-10 under 35 U.S.C. 102(e) over Weast (USP 7,454,511). The applicants respectfully traverse this rejection.

MPEP 2131 states:

"A claim is anticipated only if *each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)... "The *identical invention* must be shown in as *complete detail* as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Weast fails to teach enabling a UPnP-compliant MediaRenderer-Control Point combination to receive a URI representative of a Content Directory Service description and use the organizational context of a content item as represented in a UPnP Content Directory Service, as specifically claimed in claim 1, upon which claims 2-4 depend.

Appl. No. 10/562,872
Amendment and/or Response
Reply to Office action of 26 November 2008

Page 11 of 13

Weast fails to teach an electronic device comprising a UPnP-compliant MediaRenderer-Control Point combination, and fails to teach that this combination processes a URI representative of the Content Directory description and exploits the organizational context of a content item as represented in the UPnP Content Directory Service, as specifically claimed in claim 5, upon which claims 6-8 depend.

Weast fails to teach control software that enables a MediaRenderer to process a URI representative of a Content Directory description and exploit an organizational context of a content item as represented in the UPnP Content Directory Service, as specifically claimed in claim 9, upon which claims 10-12 depend.

The Office action asserts that Weast provides these teachings at "column 3, lines 35-53, elements 102 Device (Control Point) and 106 Media Renderer are coupled to each other and see figure 4a, Address: Z:\MyMedia\Music". The applicants respectfully disagree with this assertion.

At the cited text, Weast teaches the conventional segregation of media server 104, media renderer 106, and control point 102, and specifically teaches that these devices are connected to each other via a wired or wireless network. The basic premise of UPnP is that independent items can be "plugged in" to a network and interact with each other. The claims recite elements which are not found in this conventional or basic segregation approach. For example, the cited text of Weast fails to disclose a MediaRenderer-ControlPoint combination, and fails to teach that such a combination uses/exploits an organizational context of a content item as represented in a UPnP Content Directory Service, as specifically claimed in each of the applicants' independent claims 1, 5, and 9.

Appl. No. 10/562,872
Amendment and/or Response
Reply to Office action of 28 November 2008

Page 12 of 13

As the applicants teach, while the conventional segregation provides flexibility, the downside of the conventional segregation is that the manner in which the control point interacts with the media server and media renderer requires a virtually continuous presence of the control point to provide media content from the media server to the media renderer (applicants' specification, page 4, lines 22-27). In particular, the media renderer is provided an identification of the media content that is to be received from the media server only as each media content item is needed for subsequent rendering. In the absence of the control point, the media renderer does not have the context information required to infer, for example, which content item is to be rendered when the rendering of the current content item is completed.

In accordance with the present application, the media renderer is configured to receive and use the organization context of a given content item as represented by a UPnP Content Directory Service. This allows the media renderer to determine/infer the next content item to be rendered, without the presence of the control point that was used to initiate the rendering of the first content item from the media server.

The Board of Patent Appeals and Interferences has consistently upheld the principle that the burden of establishing a *prima facie* case resides with the Office, and to meet this burden, the Examiner must specifically identify where each of the claimed elements is found in the prior art:

"there must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention. Scripps Clinic & Research Found. v. Genentech, Inc., 927 F.2d 1565, 1576, 18 USPQ2d 1001, 1010 (Fed. Cir. 1991). To meet [the] burden of establishing a *prima facie* case of anticipation, the examiner must explain how the rejected claims are anticipated by pointing out where all of the specific limitations recited in the rejected claims are found in the prior art relied upon in the rejection." *Ex Parte Naoya Isoda*, Appeal No. 2005-2289, Application 10/064,508 (BPAI Opinion October 2005).

Because Weast fails to teach a media renderer that uses or exploits an organizational context of a content item as represented in a UPnP Content Directory Service, as specifically claimed in each of the applicants' independent claims 1, 5, and 9, the applicants respectfully maintain that the rejection of claims 1-2, 5-6, and 9-10 under 35 U.S.C. 102(e) over Weast is unfounded, and should be withdrawn.

NL030821US Amendment 8 B26 - MAC (2) - proposed revisions and comments Atty. Docket No. NL030821US

Appl. No. 10/562,872
Amendment and/or Response
Reply to Office action of 26 November 2008

Page 13 of 13

The Office action rejects claims 3, 7, and 11 under 35 U.S.C. 103(a) over Weast and Salmonsens et al. (USP 2003/0220781, hereinafter Salmonsens) and claims 4, 8, and 12 under 35 U.S.C. 103(a) over Weast, Salmonsens, and Saulpaugh et al. (USP 7,065,574). The applicants respectfully traverse these rejections.

Each of these rejected claims is dependent upon claim 1, 5, or 9, and in these rejections, the Office action relies on Weast for teaching the elements of claims 1, 5, and 9. As detailed above, Weast fails to teach the elements of claims 1, 5, and 9. Accordingly, the applicants respectfully maintain that the rejections of claims 3-4, 7-8, and 11-12 under 35 U.S.C. 103(a) that rely on Weast for teaching the elements of claims 1, 5, and 9, are unfounded, and should be withdrawn.

In view of the foregoing, the applicants respectfully request that the Examiner withdraw the rejections of record, allow all the pending claims, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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